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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/303,062	04/30/1999	ANURAG MENDHEKAR	OLAI-1005-MC	7841

23910 7590 05/25/2004

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EXAMINER<sup>2</sup>

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/303,062

Applicant(s)

MENDHEKAR ET AL.

Examiner

Bunjoo Jaroenchonwanit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/23/24 has been entered.
2. The submission has been reviewed. Claims 1-12 are pending for examination. The rejection cited is as stated below.
3. Examiner noted that applicant remained claims 1-4, added 5-12. Claims 5 and 7 recited implementation of claim 1 and 3 on PDA device, whereas claims 9 and 11 recited implementation of claims 1 and 3 on phone, while claims 6, 8, 10 and 12 in the exception of their dependencies, recited verbatim of claims 2 and 4.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US. 5,887,133).
6. In light of specification the term "image" is not defined, thus "image" can be interpreted as any visual graphic that is presented on a computing devices' display, including, web page or web document. The term "class of device" is referred to characteristic of device.
7. Claims 1 and 3, Brown discloses a system and method for modifying documents over a network communication comprising:

*an image generator configured to generate an image of a predetermined rendition of the set of content* (content provider present several types of content including map, web page pictorial, documents, Col. 5, lines 42-49; the content is presented to client based on user preference, Col. 4, lines 14-17);

*a section identifier configured to identify a section in the contents on a preference of user* (proxy server identified portion of document based on users' desirable, Col. 3, line 65-Col.4, line 8);

*a section manipulator configured to re-format the identified section to generate a new rendition including the identified section* (controller, which can be part of user or server comprises swap machismos for substituting an undesired portion of document with a desired portion, Col.4, lines 8-26) re swap server, *wherein the new rendition is formatted based upon a characteristic of the specific class of the devices and the preference of the user* (the new document is rendered in appropriate size based on user preference and suitable to type of device , i.e., characteristic of class of device, Col. 4, lines 13-17, lines 42-49); and

*such that the new rendition can be displayed on the specific class of devices* (the document portion is presented to ether computer screen of TV screen, Col., 3, lines 63-65).

8. Claims 2, 4, and 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al (US. 5,887,133), as applied to claims 1 and 3 above, in view of what well known in the art.

9. Regarding claims 5, 7, 9 and 11, Brown discloses the invention substantially, as claimed, as described in their base claims, but it is silent to applying the system for PDA or Phone device.

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Official Notice is taken that PDA or Phone device were well known communication devices in the art at the time of the invention was made, which were widely utilized for enhancing users' mobility.

Thus, taking advantage of enhancing users' mobility by including the mobile device such as PDA or Phone devices with Browns' system, would have been obvious to one of ordinary skill in the art at the time of the invention was made. The motivation would be to enhance competitive ability.

10. Regarding claims 2, 4, 6, 8, 10 and 12, Brown discloses the invention substantially, as claimed, as described, in claim 1 and 3, but fails to teach selecting user from the group of end-users viewing the new rendition and the provider of the set of contents.

However, selecting a user from a particular group for receiving a particular content is a matter of design choice, which is defined by user preference. Since, Brown also teaches a desired portion is rendered to the users based on their preferences and re-sizing to portion of document to fit with their devices. It would have been obvious to one ordinary skill in the art at the time of the invention was made to include selecting a user from a group of users who preferred the same content in order to speed up content manipulation, which would improve efficiency of rendering content to the users.

11. Applicant's argument with respect to claim 1-12 has been fully considered but found unpersuasive. In the remark applicant argued in substance that the prior art does not teach format content in accordance with class of device and user profile. Examiner disagreed Brown taught content is format to fit device screen in accordance with user profile (Col. 9, lines 16-Col. 10, l. 18). The class of device, in light of specification, is a representation of device

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characteristic (spec. Page 16 lines 12-15). Thus format image in according to device's class is in fact formatting content in accordance with device's characteristic. Brown reformats image or screen content in according to device screen size (see Col. 9, line 16-Col. 10, line 13) clearly teaches taking into consideration of the output device's characteristic in reformatting the content. Brown also reformatted screen contents in accordance with users' preference (Col. 3, line 65-Col. 4, line 8).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)?



Bunjob Jaroenchonwanit  
Primary Examiner  
Art Unit 2143

/bj  
5/24/04